

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

ADD 1 8 1994

In the Matter of)	
)	
Implementation of Section 9)	
of the Communications Act)	MD Docket No. 94-19
)	
Assessment and Collection of)	
Regulatory Fees for the 1994)	
Fiscal Year)	

REPLY COMMENTS OF SOUTHWESTERN BELL CORPORATION

Southwestern Bell Corporation ("SBC") files this Reply to Comments submitted on the *Notice of Proposed Rulemaking* ("NPRM") in the above captioned docket.¹ Specifically, SBC files this Reply in support of the positions advocated by the Cellular Telecommunications Industry Association ("CTIA") regarding the issue of the specific date to be used in calculating the number of subscribers and the issue of confidential treatment of the fee remittance reports.² SBC also supports those commentators advocating the option of filing reports on an aggregated basis.

The NPRM fails to state a particular cut-off date carriers are to use in calculating the number of subscribers they have for fee remittance purposes. The number of subscribers a carrier has changes daily and thus there should be a uniform "census" date selected. SBC agrees with CTIA's observation that the objectives of the Initial Regulatory Flexibility Analysis can

¹Implementation of Section 9 of the Communications Act, MD Docket No. 94-46 (released March 11, 1994).

²Comments of the Cellular Telecommunications Industry Association, MD Docket No. 94-19, filed April 7, 1994.

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be best achieved by establishing a "census date" based on calendar year-end, i.e., December 31.³ Using December 31 would be consistent with how carriers routinely report subscribership internally and thus could be implemented with minimal burden. Further, as CTIA explains, using December 31 as the "census date" would also best serve the needs of the Commission.⁴ SBC thus supports CTIA's recommendation that the calendar year end number of subscribers should be used to calculate the fees.

As noted in SBC's initial Comments, a prime concern for many carriers in competitive markets is confidential treatment of sensitive information, such as the number of customers per market.⁵ SBC agrees with CTIA's reasoning and supports CTIA's proposal that the Commission should "amend its rules to include, as a new subsection of Rule 0.457(d)(1), a provision that specifically will shield from public disclosure reports and regulatory fee computations based on a common carrier's number of subscribers."⁶

SBC also agrees with those commentators noting that carriers should be given the option of filing reports and being assessed on a consolidated basis rather than by separate market areas or call sign.⁷ The Commission's goals of efficiency and

³CTIA Comments, at p. 3.

⁴CTIA Comments, at pp. 4-5.

⁵Comments of Southwestern Bell Corporation, MD Docket No. 94-46, filed April 7, 1994, at p. 6.

⁶CTIA Comments, at pp. 5-8.

⁷See Comments of the Personal Communications Industry Association, at pp. 6-7.


ease of administration would be significantly furthered by allowing carriers the flexibility to report and be assessed at a common holding company or other aggregate level rather than by each market area or call sign.

CONCLUSION

For these reasons and the reasons cited in the various Comments, SBC requests that the modifications addressed above the adopted.

Respectfully submitted,

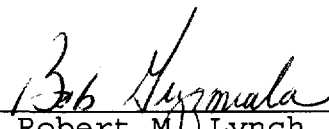
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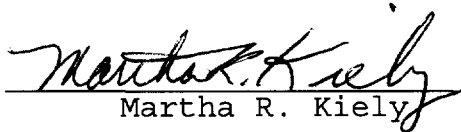
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April 18, 1994

CERTIFICATE OF SERVICE

I, Martha R. Kiely, hereby certify that copies of the foregoing Reply Comments of Southwestern Bell Corporation have been served by first class United States mail, postage prepaid, on the parties listed on the attached.


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